

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS**

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IN RE YASMIN AND YAZ (DROSPIRENONE) 3:09-md-02100-DRH-PMF
MARKETING, SALES PRACTICES AND
PRODUCTS LIABILITY LITIGATION MDL No. 2100

***Smith v. Bayer Corp. et. al.*, 3:12-CV-10426- Judge David R. Herndon**
DRH-PMF ORDER

AMENDED ORDER GRANTING LEAVE TO WITHDRAW

HERNDON, District Judge:

This matter is before the Court for case management. On Friday February 17, 2015 the Court docketed an order granting movant's motion to withdraw as counsel of record for the above captioned plaintiff (Doc. 8). The order directed counsel to serve a copy of the order of withdrawal within 7 days. Due to circumstances beyond movant's control, movant was unable to timely comply with this directive. Accordingly, the Court is issuing the amended order, granting leave to withdraw, and restarting the deadlines set forth in the previous order of withdrawal.¹ This order STRIKES and REPLACES the Court's previous order of withdrawal (Doc. 8). With regard to movant's motion to withdraw, the Court finds as follows:

After considering the movant's motion, the Court finds that the requirements of Local Rule 83.1 and of the applicable provisions of the Rules of

¹ Defendants are not opposed.

Professional Conduct pertaining to withdrawal of counsel have been satisfied.

The motion is therefore **GRANTED**.


Further, the Court **ORDERS** as follows:

1. **The Court directs movant to serve a copy of this order of withdrawal within 7 days** upon all counsel of record and upon unrepresented parties as required by Local Rule 83.1.
2. **Supplementary Entry of Appearance:** Should plaintiff choose to continue pursuing this action, plaintiff or her new counsel **must file a supplementary entry of appearance within 21 days of the entry of this Order**.
3. **Production or Discovery Extensions:** Aside from the 21 days the Court is allowing for plaintiff to file a supplementary entry of appearance, no discovery or production extensions are granted (particularly in light of the plaintiff's lack of communication with counsel).
4. **If plaintiff or her new counsel fails to file a supplementary entry of appearance within 21 days of the entry of this Order, plaintiff's action will be subject to dismissal without prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute or to comply with the orders of this Court.**
5. **Further, if after 21 days of the entry of this order, the plaintiff is not in compliance with the requirements any court rule or order (including applicable MDL case management orders), the plaintiff's action may be subject to dismissal, including dismissal WITH prejudice.**

IT IS SO ORDERED.

Signed this 3rd day of March, 2015.

Digitally signed by
David R. Herndon
Date: 2015.03.03
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United States District Judge